

BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES AND ENERGY  
IN AND FOR THE STATE OF UTAH

OPENING STATEMENTS

BY MR. CARTER

ON WEDNESDAY, FEBRUARY 24, 1993, COMMENCING AT THE  
HOUR OF 10:00 A.M., A HEARING WAS HELD IN THE ABOVE MATTER  
BEFORE THE BOARD OF OIL, GAS AND MINING, 355 WEST NORTH  
TEMPLE, 3 TRIAD CENTER, SUITE 520, SALT LAKE CITY, UTAH  
84180-1203.

5980 South 300 East • Murray, Utah 84107

Certified Shorthand Reporters •

OUR FILE NO. 402293



REPORTED BY

INTERMOUNTAIN COURT REPORTERS

LINDA J. SMURTHWAITE, CSR, RPR<sup>263-1396</sup>

ORIGINAL

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES

CHAIRMAN: JAMES W. CARTER

BOARD MEMBERS: RAYMOND MURRAY  
JUDY F. LEVER  
DAVE D. LAURISKI  
E. STEELE MCINTYRE  
JAY CHRISTENSEN  
KENT STRINGHAM

STAFF MEMBERS:

JANICE L. BROWN, Secretary of the Board  
LYNDA S. JENSON, Secretary  
THOMAS A. MITCHELL, Assistant Attorney General  
RONALD J. FIRTH, Associate Director of Land Gas,  
Division of Oil, Gas and Mining  
LOWELL P. BRAXTON, Associate Director of Mining,  
Division of Oil, Gas and Mining  
FRANK R. MATTHEWS, Petroleum Engineer  
BRAD G. HILL, Geologist

BUREAU OF LAND MANAGEMENT:

ASSAD N. RAFFOUL, Petroleum Engineer

1 Salt Lake City, Utah, February 24, 1993, 10:00 a.m.

2 MR. CARTER: Good morning. We're getting a little  
3 bit of a late start here. We welcome you all to the  
4 Board's February hearing. I have a couple of comments  
5 with regard to the agenda, and I'll make a minor  
6 adjustment but not a major, so don't get your hopes up.  
7 But as a preliminary matter, I'm going to do something a  
8 little more elaborate right after lunch, but I want to  
9 note for the record that Steele McIntyre, who has served  
10 on the Board for four terms, I believe, 14 years, today  
11 is Steele's last Board hearing. His final term expires  
12 at the close of this month on March 1st, and I wanted to  
13 note that for the record, and I want to thank Steele for  
14 his service to the State and his steady hand at the  
15 mining wheel all these years.

16 I was actually an employee of the Division of Oil,  
17 Gas and Mining when Steele was probably in his first  
18 term, and we became acquainted at that time. Jan's just  
19 handed to me, 1978 to '83, '83 to '85, '85 to '89 and  
20 '89 to now. So, Steele has done yeoman service for the  
21 State of Utah, and I won't ask him to make any comments  
22 for the record, he doesn't care for that kind of thing,  
23 but I'll give him the opportunity if he'd like to.

24 MR. MCINTYRE: As always a man of few words, but  
25 many thanks to you, and it's been enjoyable working with

1 a number of people, namely Greg sitting back there, and  
2 the rest of the Board members. Thank you.

3 MR. CARTER: Thank you, Steele, we appreciate it.  
4 (Applause)

5 MR. CARTER: More later, we'll have to surprise  
6 Steele and sneak up on him in order to give him an  
7 appropriate fairwell, but we are planning that, we're  
8 not gonna tell him exactly when.

9 MR. MCINTYRE: I think it's already been done.

10 MR. CARTER: Oh, no.

11 On the hearing agenda today we have a number of  
12 items, one item that appears to be of fairly broad  
13 interest. I understand there's some members of the  
14 public who are here to comment, and perhaps enter  
15 appearances and that's agenda item No. 6, which is the  
16 last item on our agenda, in the matter of the order to  
17 show cause requiring cessation of mining and reclamation  
18 for posting of security or surety on the Pagano Clay  
19 Estate, Pagano Clay Project. I'm informed that there  
20 are people who are not going to be available this  
21 afternoon. I think in the normal course of things, this  
22 matter, as you can see, is behind several other  
23 substantive items on the agenda and it's likely we would  
24 not reach the substance of the testimony on this matter  
25 until after lunch. But, I had been earlier advised that

1 there was at least one person who wanted to make a  
2 comment for the record, who is going to be incapacitated  
3 this afternoon or unavailable. Yes, ma'am?

4 UNIDENTIFIED: May I speak? The gentleman who had  
5 wanted to come had had surgery at noon, is down ill, so  
6 he couldn't make it. So you can go ahead with the  
7 normal order if you'd like. Thank you; we appreciate  
8 your help.

9 MR. CARTER: That's a compelling reason to allow  
10 comment out of order here, but if that's the case, and  
11 with apologies, our agendas don't specify what time you  
12 might be expected to have your matter heard. And it's  
13 sort of a judgment call generally. If you call Jan she  
14 can give you an idea if it's going to be before lunch or  
15 after lunch. I feel quite certain based on the other  
16 items on the agenda it will be after lunch, and actually  
17 I'll make that -- we won't get to it this morning, so  
18 those of you here for that matter, if you have other  
19 things, more productive things you can do this morning,  
20 please do those and we'll see you after lunch. Yes,  
21 ma'am?

22 MS. SILVER: Yes, thank you. Karen Silver, and I  
23 work for Salt Lake Community Action Program, and I will  
24 not be able to be here this afternoon because I've had  
25 another matter come up between when I said I would like

1 to speak and today. So, I have a short comment; if I  
2 could make it now, or before you break for lunch I would  
3 appreciate it because I can't stay until lunch time.

4 MR. CARTER: Let's proceed with the first agenda  
5 item, and see how we go, and I'll take a break. What  
6 I'll need to do is read this into the record and open  
7 the record to take your comments, and we can do that  
8 before lunch. I'll try not to unduly delay you, but in  
9 fairness to those who are here on other items, I'll stay  
10 as close to the agenda as we can, but I'll make sure you  
11 have an opportunity, all right?

12 MS. SILVER: All right. Thank you.

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

STATE OF UTAH )

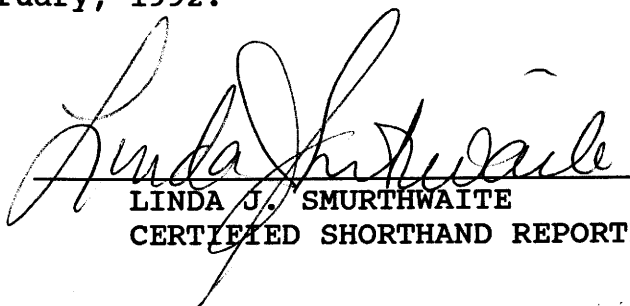
COUNTY OF SALT LAKE )

I, Linda J. Smurthwaite, Certified Shorthand Reporter, Registered Professional Reporter, and notary public within and for the county of Salt Lake, State of Utah do hereby certify:

That the foregoing proceedings were taken before me at the time and place set forth herein, and was taken down by me in shorthand and thereafter transcribed into typewriting under my direction and supervision.

That the foregoing pages contain a true and correct transcription of my said shorthand notes so taken.

In Witness Whereof, I have subscribed my name this 28th day of February, 1992.

  
LINDA J. SMURTHWAITE  
CERTIFIED SHORTHAND REPORTER

